

STATE OF WASHINGTON



OFFICE OF  
INSURANCE COMMISSIONER

*In the Matter of*

**Dale E. De Coursey,**

*Licensee.*

No. D 04 - 229

**ORDER REVOKING LICENSE**

To: Dale E. De Coursey  
800 S. Vancouver St  
Kennewick, WA 99336

**IT IS ORDERED AND YOU ARE HEREBY NOTIFIED** that your license is **REVOKED**, effective November 24, 2004, pursuant to RCW 48.17.530 and 48.17.540(2).

**THIS ORDER IS BASED ON THE FOLLOWING:**

A complaint was filed with the Office of the Insurance Commissioner (OIC) against Dale E. De Coursey (licensee), an affiliated agent with Dick Brown and Associates (agency), by Marci Houts, Branch Manager of Contractors Bonding and Insurance Company (CBIC). In response to that complaint OIC Investigator Ed Ganley (Ganley) conducted an investigation of the licensee's business practices. During the investigation Ganley confirmed the following:

1. On or about October 2, 2003 Foothills Concrete wrote check #3499, in the amount of \$2,049.00, made payable to CBIC, for payment of it's contractors insurance and bond. Licensee's records show the check was deposited into the agency premium trust account February 9, 2004. On or about October 3, 2003 CBIC declined to issue coverage for Foothills Concrete's insurance. On or about January 12, 2004 the licensee, using a fictitious policy number, issued a Certificate of Insurance to the Department of Labor and Industries (L&I), listing CBIC as the insurance company providing liability insurance for Foothills Concrete. No money was ever paid to CBIC to provide the coverage the licensee reported to L&I. On or about March 4, 2004 premium was sent to Safeco Insurance Company (Safeco) to secure a bond for Foothills Concrete. On or about August 3, 2004 when it was discovered that the licensee had used a fictitious policy number to issue the Certificate of Insurance to L&I, the agency secured insurance through Safeco. The premium for the insurance was paid with the remainder of Foothills Concrete payment and included \$269.00 from the agency operating account to make up the difference in the cost of the Safeco policy.

2. On or about January 28, 2004, the licensee received a check, in the amount of \$1,025.00, from Sam Salee Construction for payment of it's contractors insurance and bond. Licensee's records show the check was deposited into the agency premium account February 26, 2004. On or about January 30, 2004 CBIC declined to issue coverage for Sam Salee Construction. On or about February 24, 2004 the licensee, using a fictitious policy number, issued a Certificate of Insurance to L&I, listing CBIC as the insurance company providing liability insurance for Salee Construction. On or about March 2, 2004 the licensee sent \$218.40 to Safeco securing a bond for Salee Construction. The agency retained \$93.60 as commission payment on the bond. On or about July 6, 2004, the licensee sent a refund check for the unused premium of \$713.00 to Salee Construction.

3. On or about February 19, 2004 CBIC declined to issue coverage for New Creation Construction. On or about February 24, 2004 the licensee, using a fictitious policy number, issued a Certificate of Insurance to L&I, listing CBIC as the insurance company providing liability insurance for New Creation Construction.

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4. The licensee received two checks from Western Modern Arts. On or about February 24, 2004, the licensee received a check, in the amount of \$1,122.00, and April 20, 2004, a check in the amount of \$300.00 for payment of its contractors insurance and bond. Licensee's records show the \$1,122.00 check was deposited into the agency premium account February 27, 2004 and the \$300.00 check on April 21, 2004. On or about March 2, 2004 CBIC declined to issue coverage for Western Modern Arts. On or about March 16, 2004 the licensee, using a fictitious policy number, issued a Certificate of Insurance to L&I, listing CBIC as the insurance company providing liability insurance for Western Modern Arts. On or about July 29, 2004, when it was discovered by the agency that no insurance was in place through CBIC and no premium had been paid, a refund check, \$1,511.00, was paid to Western Modern Arts.

By reason of your conduct, and your violations of RCW 48.30.030(1), 48.30.040, 48.30.090, and 48.17.480 (1), (2), (3), you have shown yourself to be and are so deemed by the commissioner, untrustworthy and a source of injury and loss to the public and not qualified to be an insurance agent in the State of Washington. Accordingly, your license is revoked pursuant to RCW 48.17.530 (1) (b), (e), and (h).

**IT IS FURTHER ORDERED** that you return your insurance agent's license certificate to the Commissioner on or before the effective date of the revocation of your license, as required by RCW 48.17.530(4).

**NOTICE CONCERNING YOUR RIGHT TO A HEARING.** Please note that a detailed summary of your right to contest this Order is attached. Briefly, if you are aggrieved by this Order, RCW 48.04.010 permits you to demand a hearing. Pursuant to that statute and others: You must demand a hearing, in writing, within 90 days after the date of this Order, which is the day it was mailed to you, or you will waive your right to a hearing. Your demand for a hearing must specify briefly the reasons why you think this Order should be changed. If your demand for a hearing is received by the Commissioner before the effective date of the revocation, then the revocation will be stayed (postponed) pending the hearing, pursuant to RCW 48.04.020. Upon receipt of your demand for hearing, you will be contacted by an assistant of the Chief Hearing Officer to schedule a teleconference with you and the Insurance Commissioner's Office to discuss the hearing and the procedures to be followed.

Please send any demand for hearing to Insurance Commissioner, attention Scott Jarvis, Deputy Insurance Commissioner, Office of the Insurance Commissioner, P.O. Box 40257, Olympia, WA 98504-0257.

ENTERED AT TUMWATER, WASHINGTON, this 4<sup>th</sup> day of November, 2004.

MIKE KREIDLER  
Insurance Commissioner

By

SCOTT JARVIS  
Deputy Commissioner

Examiner: Ed Ganley